



*Mental Health Act 2016*

# **Mental Health (Transitional) Regulation 2017**

**Current as at 5 March 2017**

**Reprint note**

This is the last reprint before repeal. Repealed on 5 March 2018 by 2016 Act No. 5 s 864(4).

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Queensland

# Mental Health (Transitional) Regulation 2017

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# Mental Health (Transitional) Regulation 2017

## 1 Short title

This regulation may be cited as the *Mental Health (Transitional) Regulation 2017*.

## 2 Commencement

This regulation commences on 5 March 2017.

## 3 Declaration that regulation is a transitional regulation— Act, s 864

This regulation is a transitional regulation.

*Note—*

Under section 864(4) of the Act, this regulation expires on 5 March 2018.

## 4 Person subject to multiple forensic orders (mental health)

- (1) This section applies if, immediately before the commencement of the Act, a person is subject to 2 or more forensic orders (mental health) of the type mentioned in section 836(2) of the Act.
- (2) When the first review, under chapter 12 of the Act, of 1 of the orders is heard by the tribunal, the tribunal must—
  - (a) conduct the review as a periodic review, under chapter 12 of the Act, of all of the orders as if they were a single forensic order (mental health); and
  - (b) in exercising the powers of the tribunal under chapter 12, part 3 of the Act, combine all of the orders into a single forensic order (mental health).
- (3) This section does not limit section 839 or 851 of the Act or the powers of the tribunal under chapter 12, part 3 of the Act.

## 5 Person subject to multiple forensic orders (disability)

- (1) This section applies if, immediately before the commencement of the Act, a person is subject to 2 or more forensic orders (disability) of the type mentioned in section 837(2) of the Act.
- (2) When the first review, under chapter 12 of the Act, of 1 of the orders is heard by the tribunal, the tribunal must—
  - (a) conduct the review as a periodic review, under chapter 12 of the Act, of all of the orders as if they were a single forensic order (disability); and
  - (b) in exercising the powers of the tribunal under chapter 12, part 3 of the Act, combine all of the orders into a single forensic order (disability).
- (3) This section does not limit section 839 or 851 of the Act or the powers of the tribunal under chapter 12, part 3 of the Act.

## 6 Continuation of interstate agreements

- (1) An interstate agreement in force immediately before the commencement of the Act continues in force for—
  - (a) the purpose of a corresponding law; and
  - (b) the period the agreement would have been in force if the repealed Act had not been repealed.
- (2) In this section—

*corresponding law* means each of the following—

- *Mental Health Act 2015* (ACT)
- *Mental Health Act 2007* (NSW)
- *Mental Health Act 2014* (Vic).

*interstate agreement* means an interstate agreement entered into under the repealed *Mental Health Act 2000*, section 176.